

after sunset and ending 1 hour before sunrise.

(f) *Night vision goggle operating experience.* (1) A person may act as pilot in command in a night vision goggle operation with passengers on board only if, within 2 calendar months preceding the month of the flight, that person performs and logs the following tasks as the sole manipulator of the controls on a flight during a night vision goggle operation—

(i) Three takeoffs and three landings, with each takeoff and landing including a climbout, cruise, descent, and approach phase of flight (only required if the pilot wants to use night vision goggles during the takeoff and landing phases of the flight).

(ii) Three hovering tasks (only required if the pilot wants to use night vision goggles when operating helicopters or powered-lifts during the hovering phase of flight).

(iii) Three area departure and area arrival tasks.

(iv) Three tasks of transitioning from aided night flight (*aided night flight* means that the pilot uses night vision goggles to maintain visual surface reference) to unaided night flight (*unaided night flight* means that the pilot does not use night vision goggles) and back to aided night flight.

(v) Three night vision goggle operations, or when operating helicopters or powered-lifts, six night vision goggle operations.

(2) A person may act as pilot in command using night vision goggles only if, within the 4 calendar months preceding the month of the flight, that person performs and logs the tasks listed in paragraph (f)(1)(i) through (v) of this section as the sole manipulator of the controls during a night vision goggle operation.

(g) *Night vision goggle proficiency check.* A person must either meet the night vision goggle experience requirements of paragraphs (f)(1) or (f)(2) of this section or pass a night vision goggle proficiency check to act as pilot in command using night vision goggles. The proficiency check must be performed in the category of aircraft that is appropriate to the night vision goggle operation for which the person is seeking the night vision goggle privi-

lege or in a flight simulator or flight training device that is representative of that category of aircraft. The check must consist of the tasks listed in § 61.31(k), and the check must be performed by:

(1) An Examiner who is qualified to perform night vision goggle operations in that same aircraft category and class;

(2) A person who is authorized by the U.S. Armed Forces to perform night vision goggle proficiency checks, provided the person being administered the check is also a member of the U.S. Armed Forces;

(3) A company check pilot who is authorized to perform night vision goggle proficiency checks under parts 121, 125, or 135 of this chapter, provided that both the check pilot and the pilot being tested are employees of that operator;

(4) An authorized flight instructor who is qualified to perform night vision goggle operations in that same aircraft category and class;

(5) A person who is qualified as pilot in command for night vision goggle operations in accordance with paragraph (f) of this section; or

(6) A person approved by the FAA to perform night vision goggle proficiency checks.

[Doc. No. 25910, 62 FR 16298, Apr. 4, 1997; Amdt. 61-103, 62 FR 40898, July 30, 1997; Amdt. 61-106, 64 FR 23529, Apr. 30, 1999; Amdt. 61-109, 68 FR 54559, Sept. 17, 2003; Amdt. 61-124, 74 FR 42550, Aug. 21, 2009; Amdt. 61-127, 76 FR 19267, Apr. 7, 2011; Amdt. 61-129, 76 FR 78143, Dec. 16, 2011; Amdt. 61-130, 78 FR 42374, July 15, 2013; Amdt. 61-131, 78 FR 56828, Sept. 16, 2013]

§ 61.58 Pilot-in-command proficiency check: Operation of an aircraft that requires more than one pilot flight crewmember or is turbojet-powered.

(a) Except as otherwise provided in this section, to serve as pilot in command of an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered, a person must—

(1) Within the preceding 12 calendar months, complete a pilot-in-command proficiency check in an aircraft that is

type certificated for more than one required pilot flight crewmember or is turbojet-powered; and

(2) Within the preceding 24 calendar months, complete a pilot-in-command proficiency check in the particular type of aircraft in which that person will serve as pilot in command, that is type certificated for more than one required pilot flight crewmember or is turbojet-powered.

(b) This section does not apply to persons conducting operations under subpart K of part 91, part 121, 125, 133, 135, or 137 of this chapter, or persons maintaining continuing qualification under an Advanced Qualification program approved under subpart Y of part 121 of this chapter.

(c) The pilot-in-command proficiency check given in accordance with the provisions of subpart K of part 91, part 121, 125, or 135 of this chapter may be used to satisfy the requirements of this section.

(d) The pilot-in-command proficiency check required by paragraph (a) of this section may be accomplished by satisfactory completion of one of the following:

(1) A pilot-in-command proficiency check conducted by a person authorized by the Administrator, consisting of the aeronautical knowledge areas, areas of operations, and tasks required for a type rating, in an aircraft that is type certificated for more than one pilot flight crewmember or is turbojet-powered;

(2) The practical test required for a type rating, in an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered;

(3) The initial or periodic practical test required for the issuance of a pilot examiner or check airman designation, in an aircraft that is type certificated for more than one required pilot flight crewmember or is turbojet-powered;

(4) A pilot proficiency check administered by a U.S. Armed Force that qualifies the military pilot for pilot-in-command designation with instrument privileges, and was performed in a military aircraft that the military requires to be operated by more than one pilot flight crewmember or is turbojet-powered;

(5) For a pilot authorized by the Administrator to operate an experimental turbojet-powered aircraft that possesses, by original design or through modification, more than a single seat, the required proficiency check for all of the experimental turbojet-powered aircraft for which the pilot holds an authorization may be accomplished by completing any one of the following:

(i) A single proficiency check, conducted by an examiner authorized by the Administrator, in any one of the experimental turbojet-powered aircraft for which the airman holds an authorization to operate if conducted within the prior 12 months;

(ii) A single proficiency check, conducted by an examiner authorized by the Administrator, in any experimental turbojet-powered aircraft (*e.g.*, if a pilot acquires a new authorization to operate an additional experimental turbojet-powered aircraft, the check for that new authorization will meet the intent), if conducted within the prior 12 months;

(iii) Current qualification under an Advanced Qualification Program (AQP) under subpart Y of part 121 of this chapter;

(iv) Any proficiency check conducted under subpart K of part 91, part 121, or part 135 of this chapter within the prior 12 months if conducted in a turbojet-powered aircraft; or

(v) Any other §61.58 proficiency check conducted within the prior 12 months if conducted in a turbojet-powered aircraft.

(e) The pilot of a multi-seat experimental turbojet-powered aircraft who has not received a proficiency check within the prior 12 months in accordance with this section may continue to operate such aircraft in accordance with the pilot's authorizations. However, the pilot is prohibited from carriage of any persons in any experimental turbojet-powered aircraft with the exception of those individuals authorized by the Administrator to conduct training, conduct flight checks, or perform pilot certification functions in such aircraft, and only during flights specifically related to training, flight checks, or certification in such aircraft.

(f) This section will not apply to a pilot authorized by the Administrator to serve as pilot in command in experimental turbojet-powered aircraft that possesses, by original design, a single seat, when operating such single-seat aircraft.

(g) A check or test described in paragraphs (d)(1) through (5) of this section may be accomplished in a flight simulator under part 142 of this chapter, subject to the following:

(1) Except as provided for in paragraphs (g)(2) and (3) of this section, if an otherwise qualified and approved flight simulator used for a pilot-in-command proficiency check is not qualified and approved for a specific required maneuver—

(i) The training center must annotate, in the applicant's training record, the maneuver or maneuvers omitted; and

(ii) Prior to acting as pilot in command, the pilot must demonstrate proficiency in each omitted maneuver in an aircraft or flight simulator qualified and approved for each omitted maneuver.

(2) If the flight simulator used pursuant to paragraph (g) of this section is not qualified and approved for circling approaches—

(i) The applicant's record must include the statement, "Proficiency in circling approaches not demonstrated"; and

(ii) The applicant may not perform circling approaches as pilot in command when weather conditions are less than the basic VFR conditions described in § 91.155 of this chapter, until proficiency in circling approaches has been successfully demonstrated in a flight simulator qualified and approved for circling approaches or in an aircraft to a person authorized by the Administrator to conduct the check required by this section.

(3) If the flight simulator used pursuant to paragraph (g) of this section is not qualified and approved for landings, the applicant must—

(i) Hold a type rating in the airplane represented by the simulator; and

(ii) Have completed within the preceding 90 days at least three takeoffs and three landings (one to a full stop) as the sole manipulator of the flight

controls in the type airplane for which the pilot-in-command proficiency check is sought.

(h) For the purpose of meeting the pilot-in-command proficiency check requirements of paragraph (a) of this section, a person may act as pilot in command of a flight under day VFR conditions or day IFR conditions if no person or property is carried, other than as necessary to demonstrate compliance with this part.

(i) If a pilot takes the pilot-in-command proficiency check required by this section in the calendar month before or the calendar month after the month in which it is due, the pilot is considered to have taken it in the month in which it was due for the purpose of computing when the next pilot-in-command proficiency check is due.

(j) A pilot-in-command of a turbojet powered aircraft that is type certificated for one pilot does not have to comply with the pilot-in-command proficiency check requirements in paragraphs (a)(1) and (a)(2) of this section until October 31, 2012.

(k) Unless required by the aircraft's operating limitations, a pilot-in-command of an experimental turbojet-powered aircraft does not have to comply with the pilot-in-command proficiency check requirements in paragraphs (a)(1) and (a)(2) of this section until October 31, 2012.

[Doc. No. 25910, 62 FR 40899, July 30, 1997, as amended by Amdt. 61-109, 68 FR 54559, Sept. 17, 2003; Amdt. 61-112, 70 FR 54814, Sept. 16, 2005; Amdt. 61-128, 76 FR 54106, Aug. 31, 2011; 76 FR 63184, Oct. 12, 2011]

§ 61.59 Falsification, reproduction, or alteration of applications, certificates, logbooks, reports, or records.

(a) No person may make or cause to be made:

(1) Any fraudulent or intentionally false statement on any application for a certificate, rating, authorization, or duplicate thereof, issued under this part;

(2) Any fraudulent or intentionally false entry in any logbook, record, or report that is required to be kept, made, or used to show compliance with